

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

**JAYLEN DALAINO BELL,**

**Petitioner,**

**v.**

**Case No. 2:24-cv-00233**

**WARDEN, SOUTH CENTRAL REGIONAL  
JAIL AND CORRECTIONAL FACILITY,**

**Respondent.**

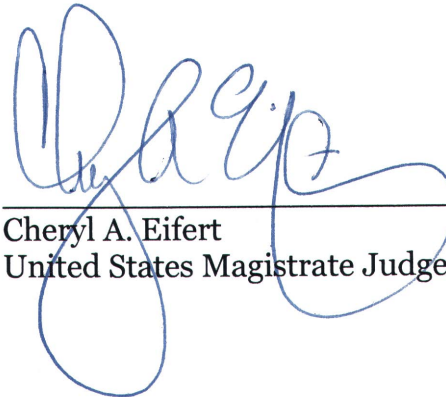
**MEMORANDUM OPINION AND ORDER**  
**SEALING EXHIBIT**

Petitioner has filed a Response to the Court's Order for a more definite statement along with attached exhibits. (ECF No. 11). The Court notes that one of the attached exhibits contains Petitioner's protected health information and other confidential personal information. Due to the nature of the information contained in the exhibit, The Court **ORDERS** the Clerk to file Exhibit Two attached to Petitioner's Response as Sealed. (ECF No. 11-2). The undersigned is cognizant of the well-established Fourth Circuit precedent recognizing a presumption in favor of public access to judicial records. *Ashcraft v. Conoco, Inc.*, 218 F.3d 288 (4th Cir. 2000). As stated in *Ashcraft*, before sealing a document, the Court must follow a three-step process: (1) provide public notice of the request to seal; (2) consider less drastic alternatives to sealing the document; and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting alternatives. *Id.* at 302. In this case, the Exhibit shall be sealed and will be designated as sealed on the Court's docket. The Court deems this sufficient notice to

interested members of the public. The Court has considered less drastic alternatives to sealing the Exhibit, but in view of the nature of the information set forth in the Exhibit—which is personal health information protected from public release—alternatives to wholesale sealing are not feasible at this time. Accordingly, the Court finds that sealing the Exhibit does not unduly prejudice the public’s right to access court documents.

The Clerk is directed to provide a copy of the Exhibit to counsel of record and the Attorney General of the State of West Virginia prior to sealing it and to provide a copy of this Order to Petitioner, counsel of record, and the Attorney General of the State of West Virginia.

**ENTERED:** July 8, 2024



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Cheryl A. Eifert  
United States Magistrate Judge